

IT IS FURTHER ORDERED that plaintiff shall have twenty (20) days from the date of this Order to pay the statutory filing fee of \$250.00, or to submit a fully completed and signed "Motion to Proceed without Prepayment of Costs" and "Financial Affidavit - CJA 23."

IT IS FURTHER ORDERED that if, within twenty (20) days from the date of this Order, plaintiff fails to pay the filing fee or to submit a fully completed and signed "Motion to Proceed without Prepayment of Costs" and "Financial Affidavit - CJA 23," the case shall be dismissed, without prejudice.

IT IS FURTHER ORDERED that if plaintiff timely submits a "Motion to Proceed without Prepayment of Costs" and "Financial Affidavit - CJA 23," the Clerk shall cause this case to be resubmitted to the Court for review under 28 U.S.C. § 1915.¹

Dated this 13th day of June, 2005.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE

¹If plaintiff pays the filing fee, he will be responsible for serving the summons and complaint upon the defendants. See Fed. R. Civ. P.4(d) . Service must be made within 120 days of the filing of the complaint(in the instant case, within 120 days of the payment of the filing fee). See Fed. R. Civ.P . 4(m). Plaintiff is advised that he may seek guidance on serving the defendants from the Office of the Clerk.